UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 10/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/456,888	ROY ET AL.
	Examiner	Art Unit
	Almari Yuan	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _28 July 2003_ .

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-10,12-15,18,20,22-25,27-29 and 31-48_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-10,12-15,18,20,22-25,27-29 and 31-48_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _10_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: Amendment and IDS filed on 7/28/03.

2.   Claims 11, 16, 17, 19, 21, 26, and 30 are cancelled. Claims 32-48 are added and claims

1-10, 12-15, 18, 20, 22-25, 27-29, and 31-48 are pending in the case. Claims 1, 27, and 31 are

independent claims.

Information Disclosure Statement

3.   The references listed in the Information Disclosure Statement filed on 7/28/03 have been

considered.

Response to Amendment

4.   The amendment filed 7/28/03 is objected to under 35 U.S.C. 132 because it introduces

new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new

matter into the disclosure of the invention. The added material which is not supported by the

original disclosure is as follows:

Regarding independent claims 1, 27, and 31, contains added claim limitations "variable

content placeholders", "each variable content placeholder having representative content, the

representative content having associated formatting information" and "if in an edit mode,

presenting the placeholders, including presenting the representative content of the placeholders

according to the associated formatting information".

Regarding dependent claim 12, contains added claim limitation "wherein presenting the content according to the formatting information associated with the representative content of a variable content placeholder".

Regarding dependent claim 13, contains added claim limitation "generating content for each variable content placeholder based on the corresponding content source".

Regarding dependent claims 23 and 29, contains added claim limitation "wherein inserting one or more variable placeholders".

Regarding dependent claim 28, contains added claim limitation "...wherein the instructions to generate content for each variable content placeholder based on the corresponding content...".

Regarding new dependent claim 32, contains added claim limitation "if in an edit mode, means for the variable content placeholders, including presenting the representative content of the variable content placeholders according to the associated formatting information".

Regarding new dependent claims 33 and 38, contains added claim limitation "generating content for each variable content placeholder based on the corresponding content source and, if in a presentation mode, presenting the generated content in place of the variable content placeholder, the content being presented according to the formatting information associated with the corresponding representative content".

Regarding new dependent claims 35 and 40, contains added claim limitation "in response to input specifying a revision to the edit mode, presenting the representative content according to the formatting information".

Regarding new dependent claim 37, contains added claim limitation "modify the associated formatting information for the variable content placeholders and redisplay the representative content of the variable content placeholders".

Regarding new dependent claim 41, contains added claim limitation "annotate the variable content placeholders".

Regarding new dependent claim 44, contains added claim limitation "embed the code as attributes in the variable content placeholder".

Regarding new dependent claim 45, contains added claim limitation "representative content of a variable content placeholder".

Regarding new dependent claim 48, contains added claim limitation "presenting the representative content according to the formatting information in response to input specifying a reversion to the edit mode".

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Objections

5.   Applicant is advised that should claims 7 and 20 be found allowable, claims 7 and 20 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

6.   Claim 7 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 20. When two claims in an application are duplicates or else are so close in content that they both

cover the same thing, despite a slight difference in wording, it is proper after allowing one claim

to object to the other as being a substantial duplicate of the allowed claim. See MPEP

§ 706.03(k).

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8.   **Claims 1-7, 12-15, 18, 20, 22, 27-28, 31, 34, 36, 39, 42-43, and 46-47 are rejected**

under 35 U.S.C. 102(b) as being anticipated by Warmus et al. (International Patent No.

WO99/22313 A – published on 05/1999).

Regarding independent claims 1, 27, and 31, Warmus et al. (Warmus) discloses:

A method, computer readable medium, and system for generating a document, comprising:

        inserting one or more placeholders in the document (on page 8, lines 1-17 and page 10,

lines 1-18: teaches creating template file having placeholders);

        binding each placeholder to a content source (on page 10, lines 1-18, see Abstract:

teaches layering graph data entries over placeholders);

        compiling the placeholders into code to generate content for the document based on the

content source (on pages 8, lines 1-17 and page10, lines 1-18: teaches interpreting template page

files); and

executing the code to generate the content and presenting the content of the document if in a presentation mode or restoring the placeholder if in an edit mode (on page 8, lines 1-17 and page 10, lines 1-18: teaches executing a graph file to generate graph).

Regarding dependent claim 2, Warmus discloses:

further comprising formatting the placeholders (on page 10, lines 1-18: teaches tagging the placeholders).

Regarding dependent claim 3, Warmus discloses:

further comprising annotating the placeholders (on page 8, lines 1-17 and page 10, lines 1-18: teaches tagging the placeholders and assigning graph parameters (i.e. labels)).

Regarding dependent claims 4, 42, and 47, Warmus discloses:

retrieve content and presenting the retrieved content (on page 10, lines 1-18: teaches generating a graph using specified graph parameters and teaches transmitting pages to a display device).

Regarding dependent claims 5 and 43, Warmus discloses:

further comprising rendering the page based on the content (on page 10, lines 1-18: teaches transmitting pages to a display device).

Regarding dependent claim 6, Warmus discloses:

where in the generating executable codes further comprises compiling code to obtain content from a database (on page 8, lines 1-17: teaches graph data entries are obtain from database).

Regarding dependent claims 7 and 20, Warmus discloses:

further comprising embedding the code as attributes in the placeholder (on page 8, lines

1-17: teaches text box with assigned attributes such as (i.e. color or font)).

Regarding dependent claims 12 and 36, Warmus discloses:

further comprising using the formatting, styling, or layout of the representative content of

the placeholder to format, style, or layout the content (on page 8, lines 1-17: teaches graph

parameters and attributes may be specified for formatting of graph data with color, font, size,

scaling, etc.).

Regarding dependent claims 13 and 28, Warmus discloses:

inserting one or more placeholders in the document (on page 8, lines 1-17 and page 10,

lines 1-18: teaches creating template file having placeholders);

binding each placeholder to a content source (on page 10, lines 1-18, see Abstract:

teaches layering graph data entries over placeholders); and

interpreting the placeholders and presenting the content of the document if in a

presentation mode or restoring the placeholder if in an edit mode (on page 8, lines 1-17 and page

10, lines 1-18: teaches interpreting template page files which includes placeholders and graph

data).

Regarding dependent claim 14, Warmus discloses:

wherein each placeholder includes an annotation describing the content for the

placeholder; interpreting a placeholder (on page 10, lines 1-18: interpreting template page files)

includes reading the annotation that describe the content to replace the placeholder (on page 8,

lines 1-17: teaches graph parameters determines graph types and on page 10, lines 1-18: teaches

layering graph data over placeholders).

Regarding dependent claim 15, Warmus discloses:

further comprising retrieving the content as interpreted by the annotations (on page 8,

lines 1-17 and page 10, lines 1-18, see Abstract: teaches retrieving graph data stored in database).

Regarding dependent claims 18 and 46, Warmus discloses:

further comprising rendering the content for viewing (on page 10, lines 1-18, see

Abstract: teaches pages to be displayed).

Regarding dependent claim 22, Warmus discloses:

further comprising storing metadata for the placeholder as a comment field in the

document (on page 8, lines 1-28: teaches setting and storing graph parameters for the text box).

Regarding dependent claims 34 and 39, Warmus discloses:

compiling the placeholders into code to generate content for the document based on the

content source; and executing the code to generate the content (on pages 8, lines 1-17 and

page 10, lines 1-18: teaches interpreting template page files and teaches executing a graph file to

generate graph).

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   **Claims 8-10, 23-25, and 29 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Warmus, as applied to claims 1-7, 12-15, 18, 20, 22, 27-28, 31, 34, 36, 39,

42-43, and 46-47 above, in view of Templeman (USPN 5,845,303 – issued on 12/1998).

Regarding dependent claims 23 and 29, Warmus discloses the invention substantially as

claimed as described *supra*. Warmus discloses:

inserting one or more elements in the document (on page 8, lines 1-17 and page 10, lines

1-18: teaches creating template file having placeholders);

binding the elements to one or more content sources (on page 10, lines 1-18, see

Abstract: teaches layering graph data entries over placeholders);

retrieving data from the bound one or more content sources (on page 8, lines 1-17 and

page 10, lines 1-18, see Abstract: teaches retrieving graph data entries from a database) and

replacing the elements with the retrieved data during run-time (on page 10, lines 1-18, see

Abstract: teaches placing retrieved graph data over the placeholders); and

restoring the elements during an edit session (on page 8, lines 1-28: teaches prompt user

for editing page).

However, Warmus does not explicitly disclose "mark up element".

Templeman on col. 2, lines 29-46 and col. 7, lines 62-67, see figures 3c and 4: teaches

template page uses a tagging scheme of HTML+ or SGML dialects.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Templeman into Warmus to provide mark up tagging

scheme, as taught by Templeman, incorporated into the placeholder of the page template file of

Warmus in order to permit importation and easy translation of HTML or SGML data.

Regarding dependent claim 24, Templeman discloses:

further comprising updating a markup language document during run-time based on an

original layout and content generated on-the-fly (Templeman on col. 3, lines 41-48: teaches

allowing dynamic presentation of information).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Templeman into Warmus to provide mark up tagging

scheme, as taught by Templeman, incorporated into the placeholder of the page template file of

Warmus in order to permit importation and easy translation of HTML or SGML data.

Regarding dependent claim 25, Warmus discloses:

wherein the content replaces the placeholder (on page 10, lines 1-18: teaches graph data

is placed over the placeholder).

Regarding dependent claim 8, Templeman discloses:

wherein the placeholder is a mark-up element (Templeman on col. 2, lines 29-46 and col.

7, lines 62-67, see figures 3c and 4: teaches tagging scheme of HTML+ or SGML dialects).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Templeman into Warmus to provide mark up tagging

scheme, as taught by Templeman, incorporated into the placeholder of the page template file of

Warmus in order to permit importation and easy translation of HTML or SGML data.

Regarding dependent claims 9 and 10, Templeman discloses:

wherein the mark-up element is an HTML element or an XML element (Templeman on

col. 2, lines 29-46 and col. 7, lines 62-67, see figures 3c and 4: teaches tagging scheme of

HTML+ or SGML dialects).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Templeman into Warmus to provide mark up tagging

scheme, as taught by Templeman, incorporated into the placeholder of the page template file of

Warmus in order to permit importation and easy translation of HTML or SGML data.

Response to Arguments

11.   Applicant's arguments filed 7/28/03 have been fully considered but they are not

persuasive.

Regarding Applicants remarks on pages 10-14:

Applicant has added new matter into the original filed claims and newly added claims

(refer to "Response to Amendment", above).   Applicant has not provided proper support from

the specification for these added limitations in his Response. Examiner has carefully reviewed

the original filed specification and couldn't find any support for the added claimed limitations.

Conclusion

12.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time
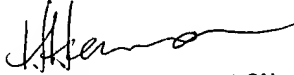
policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Almari Yuan whose telephone number is (703) 305-5945. The

examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-4700.

AY
September 29, 2003

HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100